

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO : 11992 of 2002

Between:

Sri.Maheshwara Oil & Rice Mill, Metpally (V), Karimnagar District, Rep. by its
Proprietor M.Sanjeev Kumar, S/o Kistaiah, aged about 32 years, R/o Metpally (V),
Karimnagar District.

..... PETITIONER

AND

1. The District Collector (Civil Supplies), Karimnagar, Karimnagar District.
2. The District Manager, Food Corporation of India, Karimnagar, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order dated 02.02.2002 issued in Proceeding No.MC.No:5/2002/No.G3/48/2002 by the 1st respondent and also consequential order dated 05.02.2002 in Lr.No:Price 1(1) 2002-2002/Vol./II issued by the 2nd respondent as illegal and arbitrary and contrary to principles of natural justice and consequently direct the 2nd respondent to accept the rice from the petitioner towards mill levy.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following:

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.11992 OF 2002

ORDER:

The petitioner - rice mill filed the present writ petition aggrieved by a communication dated 02.02.2002 sent by the first respondent to the second respondent not to accept levy rice from the petitioner - mill. The said letter was issued with reference to rice/paddy procurement year 2002. This Court while admitting the writ petition suspended the same and it is not denied before this Court that by reason of the suspension order, the petitioner was able to supply levy rice. The cause of action does not survive. In future, the petitioner may obtain appropriate eligibility certificate from the first respondent and then approach the second respondent for giving levy rice.

The writ petition, with the above observation, is dismissed as infructuous.

(V.V.S.RAO,J)

13.06.2005.

pln

To

1. The District Collector (Civil Supplies), Karimnagar, Karimnagar District.
2. The District Manager, Food Corporation of India, Karimnagar, Karimnagar District.
3. Two CCs to Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT).
4. 2 CD copies.